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Viewing cable 04SANTODOMINGO1950, DOMINICAN ATTORNEY GENERAL PROMISES ARTICLE 98 AND

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
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If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#04SANTODOMINGO1950**.

Reference ID	Created	Released	Classification	Origin
04SANTODOMINGO1950	2004-03-26 18:23	2011-08-30 01:44	CONFIDENTIAL	Embassy Santo Domingo

Appears in these articles:

<http://www.acento.com.do/index.php/news/5265/56/Wikileaks-EEUU-pidio-quitar-a-Gomez-Mazara-Miguel-Vasquez-Victor-Cespedes-y-a-Castellanos.html>

[?](#)

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 SANTO DOMINGO 001950

SIPDIS

STATE FOR WHA/CAR (MCISAAC), L/LEI (FUENTES AND TAYLOR), PM
JUSTICE FOR CRIM/OIA J. MAZUREK AND R. GOLDMAN
US MARSHAL SERVICE PLEASE PASS TO C. DUDLEY

E.O. 12958: DECL: 03/24/2014

TAGS: [CJAN](#) [DR](#) [KCRM](#) [KJUS](#) [SNAR](#) [PREL](#) [MARR](#)
SUBJECT: DOMINICAN ATTORNEY GENERAL PROMISES ARTICLE 98 AND
EXTRADITIONS
REF: A. STATE 52123

[1B](#). SANTO DOMINGO 683
[1C](#). SANTO DOMINGO 515
[1D](#). SANTO DOMINGO 795

Classified By: Ambassador Hans. H. Hertell, reasons 1.5(b) and (d).

[11](#). (U) Summary. On March 24 Dominican Attorney General Victor Cespedes Martinez promised the Ambassador that he would act swiftly on the Article 98 agreement, facilitate extradition requests and work to improve the handling of narcotics/narcotrafficking cases in the Dominican Republic. End Summary.

Article 98

[12](#). (C) The Ambassador received Attorney General Cespedes on March 24 at the Attorney General's request. The Ambassador stressed the importance of swift movement on Article 98 and Cespedes stated that the USG could count on his immediate support. Cespedes should receive the Article 98 agreement from the Foreign Ministry within days. He will review it and forward it to the legal office at the Presidency. The legal office at the Presidency will be the final stop before the agreement is sent to Congress for ratification. Cespedes said he will push for immediate ratification once the

agreement in the Congress.

Extraditions

13. (C) On extraditions, Cespedes stated confidently that no other Latin American country, and perhaps no other country in the world, works as closely with the USG on extradition requests. He said he wanted to continue the close relationship and ensure that the process was institutionalized. For the first time, he told Emboffs to contact him directly in regard to any extradition case instead of sending requests and questions to Assistant Attorney General Francisco Cadena Moquete. He stated his desire to have the best extradition record of any Dominican Attorney General.

14. (C) When the Ambassador asked about the release on March 23 of Lourdes Ivelise Machuca, a fugitive for whom we had requested extradition in October 2003, Cespedes appeared unaware of the extradition request. He told us that he would re-arrest Ms. Machuca and she would be extradited in the same manner in which Josefina Rojas was re-arrested and extradited (reftel B). Cespedes told us that he signed a medical release order for her because she is suffering from "suicidal tendencies." He said she is hospitalized and receiving treatment. On March 25 poloff supplied the Attorney General with another copy of the extradition request for Ms. Machuca.

15. (C) Within the last week, Cespedes has signed 17 provisional arrest warrants for fugitives believed to be located in the Dominican Republic. The signed orders have been passed to the local authorities and Embassy DEA, LEGAT and U.S. Marshal offices. One of the provisional arrest warrants is for Ramon Garcia, (reftel C) a fugitive who was arrested and released by the GODR last year.

Narco-trafficking and Money Laundering

16. (SBU) The Ambassador asked Cespedes what could be done to improve prosecution of narcotics/narcotrafficking cases. Cespedes said that narcotrafficking policy has strengthened quite a bit in recent years. He said he had given directives for a mandatory process which attaches a single prosecutor to all phases of a given narcotics case, in effect, reducing the possibility of case tampering by an interceding prosecutor. Arrest warrants and legal confirmation papers must be signed at the time of capture. According to Cespedes, all narcotics trafficking cases are treated with the utmost care. He told us that we should notify him personally if we encounter any irregularities with any of the prosecuting officials in narcotics trafficking cases.

17. (C) Cespedes said there is little he can do in narcotics trafficking and money laundering cases in regard to asset forfeiture. He stated the Dominican money laundering law is new and untested. He said that he would work with the DNCD in any way possible to assist them in seizing assets, however, he pointed out, asset seizure responsibility does not lie in his office.

Comment

18. (C) Attorney General Cespedes is of questionable character. Until he became Attorney General, there had been no extradition cases in which an arrested fugitive had been released rather than returned to the USG (reftel B). He has misled us in the past and we believe he has lied directly. The Ambassador previously expressed USG concerns about the Attorney General to President Mejia and President Mejia told us that he planned to remove the Attorney General from his position (reftel D).

19. (C) At this juncture, Cespedes seems eager to please the USG. It appears that he is fighting for his job or perhaps a "promotion" (e.g., to the Supreme Court bench, as rumored in the press). It is possible that he has heard rumors that the USG has questions about him. This may be the motivation for his sudden desire to cooperate with us.

HERTELL